

RCE 7/7/03

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b> <b>AUG 20 2003</b> 		<i>Application Number</i> 09/851,456 <i>Filing Date</i> May 8, 2001 <i>First Named Inventor</i> Stephen Zimmerman, et al. <i>Group Art Unit</i> 1761 <i>Examiner Name</i> Drew E. Becker <i>Attorney Docket Number</i> 8074M <i>Confirmation Number</i> 3630
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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

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**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b. Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 16-2480.

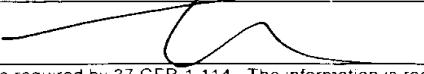
- i.  RCE fee required under 37 C.F.R. §1.17(e)
- ii.  Extension of time fee (37 C.F.R. §§1.136 and 1.17)
- iii.  Suspension of action fee under 37 C.F.R. 1.17(i)
- iv.  Other \_\_\_\_\_

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

NAME (Print/Type)	Theodore P. Cummings	Reg. No. (Attorney/Agent) 40,973
SIGNATURE		
	DATE August 15, 2003	

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

NAME (Print/Type)	Theodore P. Cummings
SIGNATURE	
	DATE August 15, 2003

**+** This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send Fees and Completed forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

(Revised for P&G use 6/3/2003)

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



TOTAL AMOUNT OF PAYMENT (\$740.00)

## Complete if Known

Application Number	09/851,456
Confirmation Number	3630
Filing Date	May 8, 2001
First Named Inventor	Stephen Paul Zimmerman, et al.
Examiner Name	Drew E. Becker
Group Art Unit	1761
Attorney Docket No.	8074M

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JC 1761

## METHOD OF PAYMENT (check one)

The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **16-2480**  
 Deposit Account Name **The Procter & Gamble Company**

Charge Any Additional Fee Required Under status: 37 C.F.R. §§1.16 and 1.17

## FEE CALCULATION

## 1. BASIC FILING FEE - Large Entity

Code	(\$)	Fee Description	Fee Paid
101	740	Utility filing fee	[]
106	330	Design filing fee	[]
108	740	Reissue filing fee	[]
114	160	Provisional filing fee	[]

SUBTOTAL (1) (\$0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE - Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims	[] - 20** =	[] x	[] = []

Independent Claims [] - 3\*\* = [] x [] = []

Multiple Dependent [] = []

\*\* or number previously paid, if greater; For Reissues, see below

Code	(\$)	Fee Description
103	18	Claims in excess of 20
102	84	Independent claims in excess of 3
104	280	Multiple dependent claim, if not paid
109	84	**Reissue independent claims over original patent
110	18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$0)

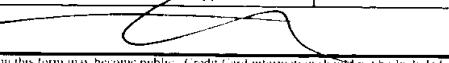
## 3. ADDITIONAL FEES

Code	(\$)	Fee Description	Fee Paid
105	130	Surcharge-late filing fee or oath	[]
127	50	Surcharge-late provisional filing fee or cover sheet	[]
139	130	Non-English specification	[]
147	2,520	For filing a request for <i>ex parte</i> reexamination	[]
112	920*	Requesting publication of SIR prior to Examiner's action	[]
113	1,840*	Requesting publication of SIR after Examiner's action	[]
115	110	Extension for reply within 1 <sup>st</sup> month	[]
116	400	Extension for reply within 2 <sup>nd</sup> month	[]
117	920	Extension for reply within 3 <sup>rd</sup> month	[]
118	1,440	Extension for reply within 4 <sup>th</sup> month	[]
128	1,960	Extension for reply within 5 <sup>th</sup> month	[]
119	320	Notice of Appeal	[]
120	320	Filing a brief in support of an appeal	[]
121	280	Request for oral hearing	[]
138	1,510	Petition to institute a public use proceeding	[]
140	110	Petition to revive - unavoidable	[]
141	1,280	Petition to revive - unintentional	[]
142	1,280	Utility issue fee (or reissue)	[]
143	460	Design issue fee	[]
122	130	Petitions to the Commissioner	[]
123	50	Petitions related to provisional applications (37 C.F.R. 1.17(q))	[]
126	180	Submission of Information Disclosure Statement	[]
146	740	Filing a submission after final rejection (37 CFR § 1.129(a))	[]
149	740	For each additional invention to be examined (37 CFR § 1.129(b))	[]
179	740	Request for Continued Examination (RCE)	[X]
169	900	Request for expedited examination of a design application	[]
091	1280	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	[]
Other fee (specify) _____			[]
Other fee (specify) _____			[]

\* Reduced by Basic Filing Fee Paid

SUBTOTAL(3) (\$740)

## SUBMITTED BY

Name (Print/Type)	Theodore P. Cummings	Registration No.	40,973	Complete (if applicable)
Signature				Telephone (513) 634-1906 Date August 15, 2002

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2058.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

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P&G Case No. 8074M



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Theodore P. Cummings, Esq. 401972  
Name of Attorney Registration No.

Signature of Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

STEPHEN ZIMMERMAN, ET AL.

Confirmation No. 2167

Serial No. 09/851,456 : Group Art Unit: 1761

Filed: May 8, 2001 : Examiner: D. E. Beeker

For: SNACK CHIP HAVING IMPROVED DIP CONTAINMENT AND A GRIP REGION

**PRELIMINARY AMENDMENT AFTER OFFICE ACTION UNDER 37 CFR §1.111**

Mail Stop RCE

Honorable Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action of June 11, 2003, please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims that begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.